

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

JAMES SMALLEY, )  
 )  
 Plaintiff, )  
 )  
 vs. ) Case No. 4:10CV319 RWS  
 )  
 MICHAEL GAMACHE, et al., )  
 )  
 Defendants. )

# MEMORANDUM AND ORDER

This matter is before me on defendants' motion to compel. Defendants move to compel plaintiff to provide his initial disclosures and discovery responses, which are now overdue. Defendants attempted to resolve this matter with plaintiff, but plaintiff has failed to respond to defendants' letter.

Accordingly,

**IT IS HEREBY ORDERED** that defendants' motion to compel [#36] is granted only as follows: plaintiff shall provide his initial disclosures and responses to defendants' interrogatories by October 15, 2011. If plaintiff fails to comply with this Order, he may be subject to sanctions, including the dismissal of his complaint with prejudice for failure to prosecute and comply with the Orders of this Court.

*Sub n Sippel*  
RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 26th day of September, 2011.